

PATENT

Attorney's Docket No. _____

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:
TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

- ☐ original
☐ design

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check any of next two items and check appropriate one of last three items.

- ☒ national stage of PCT
☐ supplemental

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL CONTINUATION OR CIP.

- ☐ divisional
☐ continuation
☐ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

APPARATUS FOR USE IN SURGERY AND A VALVE

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

- (a) ☐ is attached hereto.
(b) ☐ was filed on _____ as ☐ Serial No. _____
or ☐ Express Mail No., as Serial No. not yet known _____
and was amended on _____ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

POWER/OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

9
DANIEL W. SIXBEY, Reg. No. 20932; GERALD JOSEPH FERGUSON, Jr.
Reg. No. 23016; STUART JAY FRIEDMAN, Reg. No. 24312; CHARLES M. LEEDOM, Jr.
Reg. No. 26477; DAVID S. SAFRAN, Reg. No. 27997; JOAN K. LAWRENCE, Reg.
No. 29940; HERMAN J. KOHAUSER, Reg. No. 29465; DONALD R. STUDEBAKER,
Reg. No. 32815; EVAN R. SMITH, Reg. No. 35683, each of SIXBEY,
FRIEDMAN, LEEDOM & FERGUSON, P.C., of Suite 600, 2010 Corporate Ridge,
McLean, Virginia 22102, United States of America.

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:
(Name and telephone number)

SIXBEY, FRIEDMAN, LEEDOM & FERGUSON, P.C.
Suite 600
2010 Corporate Ridge
McLean, Virginia 22102
UNITED STATES OF AMERICA

(703-790-9110)

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

100
Full name of sole or first inventor FRANK BONADIO
Inventor's signature [Signature]
Date 25th July 1995 Country of Citizenship United States of America
Residence 2 Martello Terrace, Bray, County Wicklow, Ireland
Post Office Address (as above) LEX

200
X
X
Full name of second joint inventor, if any Alan Reid
Inventor's signature _____
Date _____ Country of Citizenship Ireland
Residence 7 Kincora Avenue, Clontarf, Dublin, Ireland
Post Office Address (as above) LEX

- (c) ☒ was described and claimed in PCT International Application No. PCT/IE 94/00045 filed on 6th September 1994 and as amended under PCT Article 19 on _____ (if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

- ☐ In compliance with this duty there is attached an information disclosure statement 37 CFR 1.97.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☐ no such applications have been filed.
(e) ☒ such applications have been filed as follows

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 37 USC 119
IRELAND	930649	SEPT. 6 1993	<input checked="" type="checkbox"/> YES NO <input type="checkbox"/>
IRELAND	930650	SEPT. 6 1993	<input checked="" type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S) FORM A PART OF THIS DECLARATION

- ☐ Signature for third and subsequent joint inventors. Number of pages added _____
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added _____
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added _____
- ☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.
 - ☐ Number of pages added _____

If no further pages form a part of this Declaration then end this Declaration with this page and check the following item

- ☒ This declaration ends with this page

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Bonadio et al.)
)
Application No.: 08/641,811)
)
Filed: May 2, 1996)
)
For: APPARATUS FOR USE IN)
SURGERY AND A VALVE)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REVOCATION OF ORIGINAL POWER OF ATTORNEY
AND GRANT OF NEW POWER OF ATTORNEY**

Applicants Bonadio et al. hereby revoke the previous Power of Attorney in the above action to Nixon Peabody L.L.P., and hereby grant their power of attorney to **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., CUSTOMER NUMBER 22,852**, Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L.

Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanhon Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33, 921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Lori Ann Johnson, Reg. No. 34,498; R. Bruce Bower, Reg. No. 37,099; John Rissman, Reg. No. 33,764; Therese A. Hendricks, Reg. No. 30,389; Leslie I. Bookoff, Reg. No. 38,084; Michele C. Bosch, Reg. No. 40,524; Michael J. Flibbert, Reg. No. 33,234; Scott A. Herbst, Reg. No. 35,189; Leslie A. McDonell, Reg. No. 34,872; Thalia V. Warnement, Reg. No. 39,064;

Ronald A. Bleeker, Reg. No. 27,773; Kathleen A. Daley, Reg. No. 36,116; C. Gregory Gramenopoulos, Reg. No. 36,532; Anthony M. Gutowski, Reg. No. 38,742; Yitai Hu, Reg. No. 40,653; Lionel M. Lavenue, Reg. No. 46,859; and Christine E. Lehman, Reg. No. 38,535; and Maureen A. Bresnahan, Reg. No. 44,559 as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please send all future correspondence and Office Actions to the following address:

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
1300 I Street, N.W.
Washington, D.C. 20005-3315
(202) 408-4000

Respectfully submitted,

ATROPOS LTD.

Dated: 16th June 2003

By: 
Frank Bonadio

MAY 23, 1997



1840-5
**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

PTAS
SIXBEY, FRIEDMAN, LEEDOM & FERGUSON,
P.C., DANIEL W. SIXBEY
2010 CORPORATE RIDGE, SUITE 600
MCLEAN, VA 22102



100391972A

**UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/02/1996

REEL/FRAME: 8437/0428
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
BONADIO, FRANK

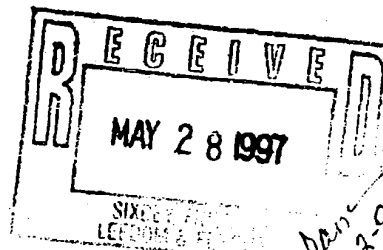
DOC DATE: 07/25/1995

ASSIGNEE:
ENCORET LIMITED, AN IRISH COMPANY
17 DAME STREET
DUBLIN 2, IRAN

SERIAL NUMBER: 03641811
PATENT NUMBER:

FILING DATE: 05/02/1996
ISSUE DATE:

KIMBERLY BARNES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



04-14-1997

08/641811
Docket No. 1890-3



ET

08641811

100391972

To the Honorable Commissioner of Patent and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Frank Bonadio

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: ENCORET LIMITED, an Irish company

Street Address: 17 Dame Street

City Dublin 2

County _____

Country Ireland

Additional name(s) & addresses(es) attached? ☐ Yes ☒ No

3. Name of Conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other _____

Execution Date: July 25, 1995

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

Title: APPARATUS FOR USE IN SURGERY AND A VALVE

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Daniel W. Sixbey, SIXBEY, FRIEDMAN, LEEDOM & FERGUSON, P.C.

Street Address: 2010 Corporate Ridge, Suite 600

City: McLean

State: Virginia

ZIP 22102

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00 not enclosed

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit Account Number: _____

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Daniel W. Sixbey

Name of Person Signing

Daniel W. Sixbey
Signature

Date

7/30/96

Total number of pages comprising cover sheet, attachments and document: 2

INSTRUMENT OF PATENT APPLICATION

WHEREAS, FRANK BONADIO FIRST NAMED INVENTOR, a citizen of United States of America
 residing at 2 Martello Terrace, Bray, County Wicklow, Ireland Address
 _____, a citizen of _____
SECOND NAMED INVENTOR, IF ANY
 residing at _____ Address
 _____, a citizen of _____
THIRD NAMED INVENTOR, IF ANY
 residing at _____ Address
 _____, a citizen of _____
FOURTH NAMED INVENTOR, IF ANY
 residing at _____ Address

ASSIGNOR(S), is/are the inventor(s) of an invention in APPARATUS FOR USE IN SURGERY AND A VALVE

for which I/we have executed an application for Letters Patent of the United States,

(Check One) ☒ of even date herewith
☐ serial number _____
 filed _____; and

WHEREAS, ENCORET LIMITED, an Irish company, of 2 Martello Terrace, Bray, County Wicklow, Ireland
Assignee Citizenship/Corporate Status Address


ASSIGNEE, is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me/us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I/we, the said ASSIGNOR(S) have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reexamination certificates, reissues and extensions thereof, and I/we hereby authorize and request the Commissioner of Patents of the United States, to issue all Letters Patent for said invention to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I/WE HEREBY covenant that I/we have the full right to convey the entire interest herein assigned, and that I/we have not executed, and will not execute, any agreement in conflict herewith.

AND I/WE HEREBY further covenant and agree that I/we will communicate to said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me/us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention at the expense of the ASSIGNEE.

IN TESTIMONY WHEREOF, I/we hereunto set my/our hand(s) and seal(s) the day and year set opposite my/our signature(s).

 _____ FRANK BONADIO	L.S.	Date <u>25th July</u> , 19 <u>95</u>
_____	L.S.	Date _____, 19 ____
_____	L.S.	Date _____, 19 ____
_____	L.S.	Date _____, 19 ____

Witness: 

25th July 1995